

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ERNEST J. FRANCESCHI, JR.,)	
)	
Plaintiff,)	2:07-cv-00203-LRH (GWF)
)	
v.)	
)	<u>ORDER</u>
DWIGHT CHORNOMUD, et al.,)	
)	
Defendants.)	
_____)	

The Court has considered the Report and Recommendation of United States Magistrate Judge George Foley, Jr. (#44) entered on April 16, 2008, in which the Magistrate Judge recommends that Plaintiff's Motion for an Order Striking the Answers of Defendants DR Entertainment Group, LLC dba Minxx Gentlemen's Club and Lounge for Failure to Comply with the Court's Order of February 4, 2008; and Dismissal of said Defendants' Counterclaim (#39) should be granted as to Defendant DR Entertainment Group, LLC dba Minxx Gentlemen's Club and Lounge and its Answer and Counter-claim be stricken and its default entered. It is further recommended that a default judgment be entered in favor of Plaintiff and against Defendant DR Entertainment Group, LLC dba Minxx Gentlemen's Club and Lounge. The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

1 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
2 Magistrate Judge (#44); therefore, Plaintiff's Motion for an Order Striking the Answers of
3 Defendant DR Entertainment Group, LLC dba Minxx Gentlemen's Club and Lounge for Failure to
4 Comply with the Court's Order of February 4, 2008; and for Dismissal of said Defendant's
5 Counter-claim (#39) is GRANTED as to Defendant DR Entertainment Group, LLC dba Minxx
6 Gentlemen's Club and Lounge and its Answer and Counter-claim be STRICKEN and its default
7 entered in this case.

8 IT IS FURTHER ORDERED that a default judgment be entered in favor of Plaintiff and
9 against Defendant DR Entertainment Group, LLC dba Minxx Gentlemen's Club and Lounge.

10 This order does not apply to Defendant Dwight Chornomud.

11 IT IS SO ORDERED.

12 DATED this 22nd day of May, 2008.

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16 LARRY R. HICKS
17 UNITED STATES DISTRICT JUDGE
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